

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**FIRST APPEAL No. 556 of 2006
With
CIVIL APPLICATION No. 3002 of 2006****For Approval and Signature:****HONOURABLE MR.JUSTICE M.R. SHAH**

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy
of the judgment ?

4 Whether this case involves a substantial question
of law as to the interpretation of the
constitution of India, 1950 or any order made
thereunder ?

5 Whether it is to be circulated to the civil judge
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HIMATBHAI NARANBHAI PATEL & 5 - Appellant(s)
Versus
RAMBHAI MANILAL & 7 - Defendant(s)

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Appearance :

MR AB MUNSHI for Appellant(s) : 1 - 6.
MR AMIT P PATEL for Defendant(s) : 1 - 7.
- for Defendant(s) : 8,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH**Date : 25/07/2006****ORAL JUDGMENT**

The present appeal has been filed by the appellants herein - original plaintiff challenging the judgment and decree passed by the learned City Civil Court at

Ahmedabad dated 18-11-2005 passed in Civil Suit No.869 of 2005 in dismissing the said suit.

2. By joint efforts of the learned advocates appearing on behalf of the parties as well as by the concerned parties, the matter is amicably settled between the parties and the consent terms is also entered into. The said consent terms is signed by appellant Nos.1,3,4,5 and on behalf of appellant No.2, her husband – appellant No.1 has signed. On behalf of appellant No.6, his power of attorney holder Shri Himmatbhai Narandas Patel, who is appellant No.1, has signed. Copy of the power of attorney of appellant No.6 is produced on record. On behalf of respondent Nos.1 to 7, their power of attorney holder one Shri Rameshbhai Keshavlal Patel has signed and on behalf of respondent No.8, his son Shri Amrishbhai Natvarlal Patel, has signed. The consent terms is also signed by the learned advocates appearing on behalf of the parties. The consent terms is directed to be taken on record.

3. Shri Hardik Raval, learned advocate appearing on behalf of respondent No.8 – original defendant No.8 has submitted that necessary payment as per the consent terms to the respective appellants would be paid by demand

draft within a stipulated time, and necessary undertaking would be filed within one week from today. Respondent No.8 is directed to file undertaking to make the payment as per the consent terms within a period of one week from today.

4. This appeal is accordingly disposed of in terms of consent terms. Decree be drawn in terms of consent terms. No costs.

5. In view of disposal of the first appeal, no order is civil application.

(M.R.SHAH, J.)

shekhar/-